

Applicant	Flagler POP I & II, LLC/Douglas McCraw	
Request	Vacate a 14' wide Alley	
Location	South of N.W. 2 nd St., North of Broward Blvd., West of N.W. 3 rd Ave., East of N.W. 4 th Ave.	
Legal Description	All of that portion of the 14-foot wide alley lying adjacent to Lots 1 through 6, Block 10, and Lots 19 through 24, P.B. B, P. 40, Public Records of Miami Dade County.	
Property Size	Approximately 4,200 sq. ft.	
Zoning	RAC-WMU	
Existing Land Use	Existing: Unimproved Alley	
Future Land Use Designation	Regional Activity Center	
Comprehensive Plan Consistency	Consistent	
Other Required Approvals	City Commission, By Ordinance	
Applicable ULDR Sections	Sec 47-24.6 Vacation of Rights-of-Way	
Notification Requirements	Sign Notice, Mail Notice	
Action Required	Approve, Approve with Conditions, or Deny the application	
Project Planner Authorized By Approved By	Name and Title	Initials
	Ella Parker, Planner II	
	Chris Barton, AICP, RLA, Principal Planner	
	Marc LaFerrier, AICP, Planning and Zoning Director	

Request:

This is a request to vacate a 14' wide by 300' long section of an alley adjacent to Lots 1 through 6, Block 10, and Lots 19 through 24, P.B. B, P. 40, of the Public Records of Miami Dade County. The applicant is in the process of redeveloping the properties to the east and to the west of this portion of the right-of-way. The portion of the alley south of the proposed vacation extending to Broward Boulevard, was vacated in 1975 per Ordinance No. C-75-101 (copy included in plans package).

Prior Reviews:

This proposal was reviewed by the Development Review Committee on October 26, 2004 and all comments have been addressed. The proposal was also reviewed by the Property and Right-of-Way Committee on October 21, 2004 and it received a positive recommendation (Minutes are attached as **Exhibit 1**).

This request has been reviewed by the public franchise utilities (letters included in plans package) and none of them have an objection to the proposed vacation, provided that any existing utilities are relocated at the applicant's expense, and that any necessary easements are obtained. Florida Power and Light Company (FPL) has a major transmission line running through the subject alley. The applicant intends to relocate the power line and grant FPL a 5' FPL exclusive utility easement. Comcast and Bellsouth also have existing utilities located in the alley. The applicant is granting a 10' non-exclusive utility replacement easement to provide these services. The City's Engineering Design Manager has reviewed this application.

Planning & Zoning Board Review Options:

1. If the Planning and Zoning Board determines that the proposed vacation meets the criteria the Board shall approve or approve with conditions necessary to ensure compliance with the standards and requirements of the ULDR and criteria for vacation of rights-of-way.
2. If the Planning and Zoning Board determines that the proposed vacation does not meet the criteria for vacation of rights-of-way, the Planning and Zoning Board shall deny the application.

Staff Determination:

The applicant has submitted a narrative outlining compliance with the criteria for vacation of rights-of-way as listed in Sec. 47-24.6 (included in plans package). Staff finds that the applicant has demonstrated compliance with the criteria and concurs with the applicant's assessment.

Should the Board approve the proposed development, the following conditions are proposed by staff:

1. That all utilities that are required to be relocated be done so at the applicant's expense.
2. The vacating ordinance shall be in full force and effect on the date a certificate executed by the City Engineer is recorded in the public records of Broward County. This certificate shall state that the existing facilities have been abandoned. A copy of the recorded certificate must be provided to the City.
3. Final DRC approval.